

RESIDENT RIGHTS

For Long Term Care In Missouri

Before deciding on which facility is best for you, find out what types of services are provided, the reputation of the facility and the general philosophy of those in charge. As a resident - or a prospective resident - of a long-term care facility, you and your family have rights which are guaranteed and protected by law. These "resident rights" support the principles of dignity and respect for every person who lives in a long-term care setting. Every facility must protect and promote these rights for all residents and must inform you of these rights when you are admitted.



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Your Rights as a Resident of a Long Term Care Facility in Missouri

BE FULLY INFORMED

You should receive a copy of all rules and regulations pertaining to your rights and responsibilities as a resident. You should be informed in writing of all matters relating to you, including services and charges not covered by the government or by the facility's daily rate.

You are also entitled to know:

- results of inspections and surveys of the home and violations or deficiencies found;
- licensure approvals and/or disapprovals and responses of the home;
- procedures for receiving emergency care at hospitals or being transferred to other care facilities;
- names and addresses of every owner of the home;
- regulations for using chemical or physical restraints and persons with;
- authority to order the restraints; and
- methods for obtaining copies of information from your file.

PARTICIPATE IN YOUR CARE

You have the right to know your medical condition and the options available for treatment. You may refuse any of the options.

CHOOSE YOUR OWN DOCTOR

You may continue to use your own doctor or select another who will be responsible for your total care. If you prefer, the facility will assign a doctor.

REMAIN IN THE FACILITY

You can be discharged only for medical reasons, nonpayment of a bill, or the threat of physical harm. You must be given written notice 30 days in advance of the transfer or discharge. This notice must tell you why you are being discharged and how you can appeal.

VOICE GRIEVANCES

You may voice concerns and problems, along with recommended changes, to facility staff or outside representatives. Owners and staff of facilities are prohibited by law from retaliating if you complain. You should speak with the director of nursing or the administrator of the home if you encounter problems requiring immediate action. For nonemergencies, speak to the resident council or an ombudsman.

MANAGE YOUR OWN FINANCES

Whether you hold your money or have the facility keep track of it, nobody can tell you how to spend your personal funds. The operator of the home can help you manage your financial affairs.

BE FREE FROM ABUSE AND RESTRAINT

You should not be subjected to physical, sexual or emotional harm. Chemical or physical restraints should not be imposed for purposes of discipline or staff convenience. Restraints are only to be used as treatment for medical symptoms.

CONFIDENTIALITY

Medical, personal, social or financial affairs should be considered privileged information.

HAVE PRIVACY AND RESPECT

You have the right to privacy in medical treatment, personal care, telephone and mail communications, visits of family and meetings of resident groups. You should be treated with consideration and respect, with full recognition of your dignity and individuality. You should not be required to do things against your will.

COMMUNICATE FREELY

You may privately associate and communicate with persons of your choice. You may send and receive unopened mail.

PARTICIPATE IN ACTIVITIES

You may participate in social and religious activities, both inside and outside the facility. The facility should not require you to perform any duties or services.

KEEP YOUR POSSESSIONS

You may retain your personal possessions as space permits. On a quarterly basis, you are entitled to receive an accounting for all your personal possessions or funds entrusted to the facility.

RETAIN MARITAL PRIVILEGES

You have the right to private visits with your spouse and may share a room with your spouse if you are both residents.

PURCHASE GOODS AND SERVICES

You should receive an itemized bill for all goods and services provided by the facility. You may purchase or rent goods or services not included in your daily or monthly rate.

Guidelines To Exercising Your Rights and Resolve Problems

1. Speak up. Don't be afraid to voice your concerns. Do not assume people should know how you feel; they don't. Facility staff and administration are not mind readers. They cannot solve problems that they do not know exist.
2. Voice your concern to the staff involved, but be prepared to talk to their supervisor if the problem is not solved. Each facility must designate an employee to receive and resolve complaints. You should be informed of the necessary steps to file a complaint or grievance. Specifically, you should know who is to receive your complaint and how to refer unresolved problems to appropriate governmental agencies. You also are entitled to receive a report from the facility complaint designee indicating how the issue has been resolved.
3. Remain calm while discussing the problem. Avoid anger, sarcasm, or threats. State the facts clearly. Do not attack the other person's ego nor question intent or sincerity.
4. Seek the assistance of the residents' or family councils to help with problem solving and complaint resolution.
5. Discuss minor or unresolved problems with the person in charge and follow up in writing. Be sure to keep a copy for your records.
6. Contact your Long-Term Care Ombudsman Program with unresolved complaints and problems. An ombudsman is an outside person who serves as your advocate. If your facility does not have an ombudsman, you may call your local area agency on aging or the State Ombudsman Office at **1-800-309-3282**.
7. Call the Elderly Abuse and Neglect Hotline whenever you have serious complaints regarding instances of abuse or neglect. The toll free number is **1-800-392-0210**. The division will investigate your concerns and let you know their findings and what measures have been taken.
8. Take action. The law gives you the right to private action, which means you can file suit against a facility. You do not have to rely on the state to file on your behalf.

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For Legal Advice, See Your Lawyer

If you need help finding a lawyer, you can call:

The Missouri Bar Lawyer Referral Service-

(573) 636-3635 if busy, call **(314) 421-4134**

In St. Louis	(314) 621-6681
In Kansas City	(816) 221-9472
In Springfield	(417) 831-2783

If your income and resources are limited, you can call the Legal Services Corporation project in your area:

Legal Aid of Southwest Missouri

(800) 444-4863

In Springfield	(417) 862-0356
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Legal Aid of Western Missouri

In Kansas City	(816) 474-6750
In St. Joseph	(816) 364-2325 or (800) 892-2101
In Warrensburg	(660) 747-7101 or (800) 892-2943
In Joplin	(417) 782-1650 or (800) 492-7095

Legal Services of Eastern Missouri

(800) 444-0514

In St. Louis	(314) 534-4200
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Legal Services of Northeast Missouri

In Hannibal	(573) 248-1112
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Mark Twain Legal Services

In Canton	(573) 288-5643
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Meramec Legal Aid Corporation

(800) 999-0249

In Rolla	(573) 341-3655
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Mid-Missouri Legal Services Corporation

(800) 568-4931

In Columbia	(573) 442-0116
In Jefferson City	(573) 634-4545

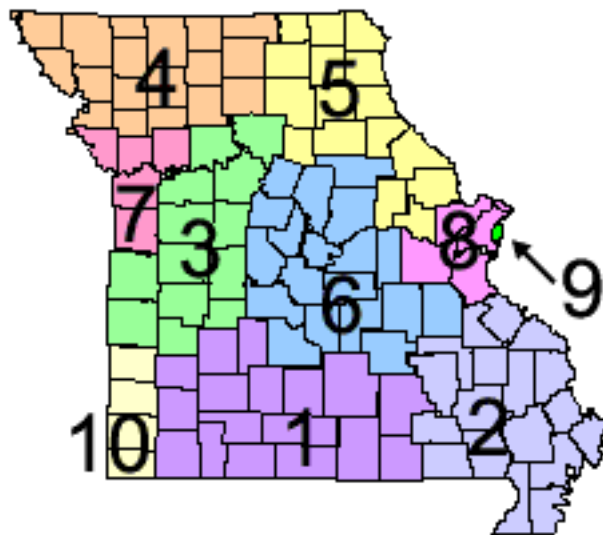
Southeast Missouri Legal Services

In Charleston	(573) 683-3783
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Applications for Legal Services

(573) 683-3786 or (800) 748-7456

Your local area agency on aging provides funding for legal advice and consultation to individuals 60 years of age and over. Services **are** provided to individuals in long-term care facilities.



Division of Aging
State Office of Long-Term Care Ombudsman
 Carol Scott, Jim Ludy, Charisse Pappas
 P.O. Box 1337
 Jefferson City, MO 65102
 Phone: (573) 526-0727
 Toll Free: (800) 309-3282
 Fax: (573) 751-8687
 EMail: cscott@mail.state.mo.us

**1. Connie Payne**

Council of Churches of the Ozarks
 627 N. GlenstoneP
 P. O. Box 3947 G. S.
 Springfield, MO 65808
 (417) 862-3598
 FAX: (417) 862-2129

2. Willa Stanford, Imogene Unger

Southeast MO Area Agency on Aging
 1219 N. Kingshighway, Suite 100
 Cape Girardeau, MO 63701
 (573) 335-3331 or (800) 392-8771
 FAX: 573-335-3017

3. Kathy Ray-Smith, Karen Cairer

District III Area Agency on Aging
 106 W. Young Street
 P. O. Box 1078
 Warrensburg, MO 64093
 (660) 747-3107
 FAX: 660-747-3100

4. Melissa Bennett, Martha Rush

Northwest MO Area Agency on Aging
 106 South Smith P.O. Box 265
 Albany, MO 64402
 (660) 726-3800
 FAX: (660) 726-4113
 email: nwmoaaa@ponyexpress.net

5. J. Patrick Wheeler, Clare Wheeler, Kathy Cottrell

MTLS Ombudsman Program
 314 N. 11th Street
 P. O. Box 248
 Canton, MO 63435
 (573) 288-5643
 FAX: (573)-288-5272

6. Beth Simpson, Angela Dunham, Eric Thompson

Central MO Area Agency on Aging
 1121 Business Loop 70 East, Suite 2A
 Columbia, MO 65201
 (573) 443-5823
 FAX: (573) 875-8907
 email: bethsimpson@cmaaa.net

7. Michelle Brown, Susan Lundquist

Mid-America Regional Council
 300 Rivergate Center
 600 Broadway
 Kansas City, MO 64105-1536
 (816) 474-4240
 FAX: (816) 421-7758

8./9. Dorothy Erickson, Cheryl Wilson

LTC Ombudsman Program
 9011 Manchester Road, Suite 1
 Brentwood, MO 63144
 (314) 918-8222
 FAX: (314) 918-9188

10. Carolyn McLaren, Shirley Miller

Region X Area Agency on Aging
 1710 E. 32nd St., Suite F
 P. O. Box 3990
 Joplin, MO 64803
 (417) 781-7562
 FAX: (417) 781-1609

